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**ATTORNEYS FOR PLAINTIFF  
UNITED STATES OF AMERICA**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**HOLLIS GENE HALE,**

**Defendant.**

**CR 25- 18 -GF-BMM**

**INFORMATION**

**ENDANGERED SPECIES ACT  
Title 16 U.S.C. §§ 1538(a)(1)(G) and  
1540(b)(1)  
(Penalty: Six months of imprisonment, a  
\$25,000 fine or twice the gross gain or  
loss, and one year of supervised release)**

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	<b>LACEY ACT FALSE LABELING</b> <b>Title 16 U.S.C. §§ 3372(d)(2) and</b> <b>3373(d)(3)(B)</b> <b>(Penalty: One year of imprisonment, a</b> <b>\$100,000 fine or twice the gross gain or</b> <b>loss, and one year of supervised release)</b>
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## **CRIMINAL INFORMATION**

THE ASSISTANT ATTORNEY GENERAL OF THE ENVIRONMENT AND NATURAL RESOURCES DIVISION OF THE UNITED STATES DEPARTMENT OF JUSTICE AND THE UNITED STATES ATTORNEY FOR THE DISTRICT OF MONTANA CHARGE THAT:

### **INTRODUCTION**

At all times material to this Bill of Information:

1. Marco Polo argali sheep (*Ovis ammon polii*) are a species of sheep that live in high elevations of the Pamir Mountain region that spans Afghanistan, Pakistan, Kyrgyzstan, Tajikistan, and China. Argali sheep are listed as Threatened under the U.S. Endangered Species Act (ESA) and are internationally protected under Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). 50 C.F.R. § 17.11(h).

2. The ESA prohibits any person subject to the jurisdiction of the United States from engaging in the unpermitted delivery, receipt, carrying, transporting, or shipping, in interstate or foreign commerce in the course of a commercial activity,

of wildlife listed as threatened. 16 U.S.C. §§ 1538(a)(1)(G), 1540(b)(1); 50 C.F.R. §§ 17.21(e), 17.31(a).

3. Black Hawaiian sheep are a hybrid of European mouflon (*Ovis aries musimon*) and black-haired Barbados sheep. Phantom sheep are a hybrid of European mouflon (*Ovis aries musimon*) and Transcaspian urial sheep (*Ovis aries vignei*).

4. In order to protect Montana's native wildlife and plant species, livestock, human health, and horticultural, forestry, and agricultural production, Montana has deemed it necessary to prohibit certain exotic species from being imported, possessed, or sold in Montana. Mont. Code Ann. § 87-5-705.

5. Argali, mouflon, and Transcaspian urial sheep are prohibited species within Montana. The prohibition extends to genetic hybrids and includes the egg, sperm, embryo, or offspring of the species. Mont. Code Ann. § 87-5-705; Admin. R. Mont. §§ 12.6.1540(1)(E), 12.6.2215(4)(c), and 12.6.2215(4)(r).

6. The Montana Department of Livestock (DOL) import regulations require sheep owners to obtain a health certificate before importing sheep into the State. DOL requires the accurate identification of the animal being imported on the health certification. Admin. R. Mont. § 32.3.206.

7. The Lacey Act, Title 16, United States Code, Section 3372(d)(2)

makes it unlawful for a person to knowingly make or submit a false record, account, or label for, or any false identification of, any wildlife, which has been, or is intended to be, transported in interstate or foreign commerce. 16 U.S.C. §§ 3372(d)(2) and 3373(d)(3)(B).

### **COUNT 1**

8. Paragraphs 1 through 7 of this Information are incorporated herein by reference as if set forth in their entirety.

9. On or about July 17, 2020, in the District of Montana and elsewhere, the defendant, HOLLIS GENE HALE, did himself, and through the actions of others, knowingly deliver, receive, carry, transport, and ship threatened wildlife in interstate commerce, to wit, twelve hybrid Marco Polo argali sheep, in the course of a commercial activity.

All in violation of Title 16, United States Code, Section 1538(a)(1)(G), 50 C.F.R. §§ 17.21(e), 17.31(a), and Title 18, United States Code, Section 2.

### **COUNT 2**


10. Paragraphs 1 through 7 of this Information are incorporated herein by reference as if set forth in their entirety.


11. On or about June 15, 2020, in the District of Montana and elsewhere, the defendant, HOLLIS GENE HALE, did himself, and through the actions of others, knowingly make and submit a false identification of wildlife that was, and

was intended to be, transported in interstate commerce, to wit: a Certificate of Veterinary Inspection health certification wherein he falsely identified forty-three sheep as New Mexico dahl sheep, when in truth and in fact, the defendant knew the sheep were black Hawaiian and phantom sheep, which contain mouflon, Transcaspian urial, and argali genetics, and are prohibited species in the state of Montana.

All in violation of Title 16, United States Code, Sections 3372(d)(2), 3373(d)(3)(B), and Title 18, United States Code, Section 2.

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Date: 1/15/2025

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